

Mr. BIDEN. The order after that is HOLLINGS, FEINSTEIN, DURBIN, KENNEDY, LIEBERMAN, WYDEN, and WELLSTONE.

Mr. WELLSTONE. Thank you, Madam President.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Massachusetts is recognized for up to 5 minutes.

Mr. KERRY. I thank the Chair. I thank my colleague.

Madam President, never in the time I have been here—and perhaps in the modern history of the Senate—has any of us come to the floor with such a weight as today, with our hearts literally heavy and aching with the pain of what we have witnessed and what we know so many families are experiencing today, and also with a sense of outrage at the loss of every innocent citizen and every single person who went to work expecting a normal day, every police officer who put themselves into harm's way, every fireman who tried to save a life and lost their own, and at the astonishing number of their loss with the experience of a breach in their special brotherhood and sisterhood that can never be healed, the loss of emergency personnel. These losses are felt by all of us in a very special, personal, and searing way.

It is also fair to say that all of us have a deep feeling of outrage and resentment for the killing of our innocent citizens, for the attack against our country, for the fear and panic we saw in the faces and voices of our people; children crying; parents, wives, brothers, sons, and daughters waiting for word.

Yesterday I was on the phone to the husband and daughter of a woman—a friend—lost in the second flight to penetrate the World Trade Center. The pain and depth of loss in their voices was excruciating. And the helplessness to do anything but to share that pain and offer comfort brought an even deeper sense of anger and resolve for the acts that occurred.

But it is also critical that all of us remember, as we talk about responses, and war against terrorism, that our rhetoric be matched by our actions. If indeed there is a war against terrorism, I remind my colleagues that in a war the first shots are never the last, the first strike is never the worst.

What happened yesterday was terrible and horrendous, but we must prepare ourselves and steel ourselves for the possibility of worse until we achieve our goal. And to do that we have to be more prepared than we are today, and we have to take the fight wherever we need to, and in ways that we are, frankly, not yet prepared.

I will say, from personal experience, when you are in a war, you do not throw money at the enemy; it's bullets or other actions that are real. We cannot guarantee that some fanatic is not

going to find a way to upset civilized order. But we can guarantee that anyone facilitating or associated with such an act will pay the highest price.

There are few organizations that could achieve what happened yesterday. We know who they are. We know who supports them. We should demand that those people cooperate with us in turning them over to us.

Finally, it is important for the world to see that we will go back immediately to the business of a great democracy. We must—all of us—be back at the work of our Nation. We must show that our effort to build a better country goes on, the mission of educating our children for full citizenship goes on, the job of making our country stronger goes on.

I believe one of the first things we should commit to as a country, with Federal help, that underscores our Nation's purpose, is to rebuild the towers of the World Trade Center and to show the world that we are not afraid; we are defiant.

To those who might say, "why create another target?" The answer is simple: If we are indeed at war with terrorism, there is no shortage of targets in the United States. There is a White House, and a Capitol, and countless other tall buildings. This is not a question of targets; it is a question of strength and of our national resolve to stand up and show our strength. That is the best monument we could build to those who died yesterday.

In Massachusetts, Madam President, we particularly grieve and feel the full measure of what happened yesterday. Two of those flights came out of our airport. Many of those people on those flights—the vast majority of them—came from our State.

So to all of those who currently await word or those who know because of the nature of the flights, we extend our deepest condolences and we grieve together as citizens of Massachusetts and of this great country.

I thank the Chair.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 1:45.

Thereupon, the Senate, at 12:54 p.m., recessed until 1:44 p.m. and reassembled when called to order by the Presiding Officer (Ms. STABENOW).

#### ORDER OF PROCEDURE

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Madam President, I ask unanimous consent that the recess originally scheduled to end at 3 o'clock be extended to the hour of 3:30 today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, the order now before the Senate is that when the vote is completed, we will go into recess until 3:30 today.

Prior to the recess before the noon luncheon, there were two Democrats who had spoken, so now the Republicans have the opportunity to speak twice. Two Republicans would like to do that prior to the recess beginning.

If there is no objection, I ask unanimous consent that two Republicans be allowed to speak for up to 10 minutes each prior to the recess beginning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DASCHLE. Madam President, I ask unanimous consent the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TERRORIST ATTACKS AGAINST THE UNITED STATES—Continued

Mr. DASCHLE. Madam President, I ask for the yeas and nays on the resolution.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. DASCHLE. Madam President, I ask that all Senators take their desks and that we vote from our desks on this resolution. I appreciate the cooperation from both sides.

I yield the floor.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass? The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 277 Leg.]

#### YEAS—100

Akaka	Bennett	Breaux
Allard	Biden	Brownback
Allen	Bingaman	Bunning
Baucus	Bond	Burns
Bayh	Boxer	Byrd

Campbell	Grassley	Murray
Cantwell	Gregg	Nelson (FL)
Carnahan	Nelson	Nelson (NE)
Carper	Harkin	Nickles
Chafee	Hatch	Reed
Cleland	Helms	Reid
Clinton	Hollings	Roberts
Cochran	Hutchinson	Rockefeller
Collins	Hutchison	Santorum
Conrad	Inhofe	Sarbanes
Corzine	Inouye	Schumer
Craig	Jeffords	Sessions
Crapo	Johnson	Shelby
Daschle	Kennedy	Smith (NH)
Dayton	Kerry	Smith (OR)
DeWine	Kohl	Snowe
Dodd	Kyl	Specter
Domenici	Landrieu	Stabenow
Dorgan	Leahy	Stevens
Durbin	Levin	Thomas
Edwards	Lieberman	Thompson
Ensign	Lincoln	Thurmond
Enzi	Lott	Torricelli
Feingold	Lugar	Voinovich
Feinstein	McCain	Warner
Fitzgerald	McConnell	Wellstone
Frist	Mikulski	Wyden
Graham	Miller	
Gramm	Murkowski	

The joint resolution (S.J. Res. 22) was passed.

The PRESIDING OFFICER. The majority leader.

Mr. DASCHLE. For the information of all Senators, this will be the only vote cast today. We will stand in recess until 3:30 this afternoon to accommodate the briefing that begins—now at 2:30, not 2 o'clock, in room 407.

Tomorrow it is my hope to renew the deliberations and hopefully complete our work on the Commerce-Justice-State appropriations bill. That will be tomorrow.

After 3:30 this afternoon, we invite Senators to come back to the floor to express themselves if they have not yet had the opportunity to do so.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. THOMPSON. Madam President, was it the intention to recess immediately or will there be an opportunity to make a short statement with regard to yesterday's matters? May I ask the leader?

Mr. DASCHLE. Madam President, if I may respond, under the previous unanimous consent request, two of our Republican colleagues had sought recognition and we had locked in time for those two speakers prior to the time we recess. That will still be the order.

Mr. THOMPSON. I thank the leader.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. THOMPSON. Madam President, we meet here today to express our outrage even though words cannot express the sorrow and anger that fills our hearts. But we must express these feelings—on behalf of the family and friends of thousands of innocent victims, many whose identities we do not yet know—and on behalf of our entire nation.

Our young people must wonder why the United States who they are taught is the beacon of hope and liberty for the world—why we of all countries—

should be the world's main target of such savagery.

I suggest it is because those teachings to our young people are true. It is because our history and the principles on which our country was founded go against the trend of thousands of years of human history. Thousands of years of "might makes right," of rulers and dictatorships of all shapes and forms, of religious intolerance and subjugation. We have shown the world that it doesn't have to be that way. And today's tyrants and would-be tyrants cannot afford to let that example stand.

But stand it will. If this giant, America, has been sleeping as some say, it has been awakened once again and will not rest until an example is made of those who would murder our innocent citizens and tear at the very fabric of our national existence. Part of a great nation's responsibility for keeping peace in the world is the threat it must pose to those who would upset that peace. Therefore, we must act as a deterrent to outrageous activity when our interests are involved.

And America's response in this matter should set a lasting example of what happens to those who unleash bloody attacks especially on our own soil.

The time for carefully measured pinprick responses to terrorists activities has passed.

But we in this body and in the House do not have the luxury of simply expressing our outrage demanding retribution. We, along with the President, set policy and we must quickly reconcile ourselves to some of things that we must do.

Since our victory in the cold war, we have become somewhat complacent in the notion that the most significant danger to our nation has passed. We see it in our military budget and we hear it in our rhetoric. We see it in our debates over which threat to our country is most probable even though yesterday's events should remind us once again how faulty such predictions can be. We attempt to decide with precision what the chances are of a missile attack by a rogue nation or by terrorists versus a suitcase bomb versus a biological attack versus a cyber attack. Surely, we must now realize that as the world's number one target, we must protect our citizens from all of these possibilities. While protection can never be complete, who is going to decide which window of vulnerability we are going to allow to remain open. The old Soviet threat has been replaced by new ones that are in many ways more dangerous and more insidious. We have been warned about this repeatedly—by the Hart-Rudman Commission, the Gilmore Commission, by the Bremer Commission, and by experts in numerous committee hearings. Surely, now we will listen. Surely now we will

resist the temptation to continue to squeeze out more "peace dividends" from the cold war which place our defense requirements in a secondary position to our domestic wish list.

And surely, we will reanalyze the wisdom of America contributing to the proliferation of militarily useful technology simply because we want the sales. It is my belief that this is what we did as late as last week with the passage of the Export Administration Act.

If we place short term considerations, our desire for profit, or our desire to maintain record high surpluses above our national security, we will become much more vulnerable to the potential of experiencing other days like yesterday.

Historians tell us of another democracy which, after major military success, cut its military budget, turned inward, and failed to react to provocation in hopes of maintaining peace—a nation of leaders who followed the popular demand for more butter and fewer guns and who felt that if worse came to worse technology could bail them out and that treaties with dictators would substitute for defenses. That country was England after World War I and those policies contributed to causing the biggest war in the history of the world. We must not make a similar mistake.

We cannot alter the past. But we can affect the future. I sincerely urge that we keep these things in mind as we consider our appropriations bills and especially as we consider what monies are necessary to keep this country safe. It is not only the right and necessary thing to do. It is the real tribute we can pay to our citizens who have so recently paid such a dear price simply for being Americans.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Madam President, as some of my colleagues here today and so many Americans across our country, I rise to express great sorrow, and send our prayers to those who lost loved ones and who have been injured. Unfortunately, in my own community right next door, the copilot of the American Airlines Flight 11, Tom McGuinness, came from Portsmouth and leaves behind a 14-year-old son and a 16-year-old daughter. One of the fire chiefs who went into the building to save lives, Jack Fanning, testified before our committee on the issue of terrorism just a few weeks ago. This touches all of us in extraordinarily personal ways, and it touches our Nation dramatically.

We wish to also congratulate and express great appreciation to those people who are risking their lives to rescue the injured and the harmed—firefighters, policemen, the citizenry who are stepping forward during this time of crisis.

There has been significant harm to our Nation. But we are a resilient people and a resilient country, and we shall not allow these doers of evil, these perpetrators of such huge criminal activity to fundamentally harm our society.

The fact that we meet today and the fact that our Nation goes forward is a reflection of our strength and our commitment to maintaining the openness and freedom that comes with the greatest democracy in the world.

We stand here united and resolute that we shall not allow this democracy to be undermined by such horrific and criminal acts.

We as a Congress have recognized for a fair amount of time that terrorism is the threat which we as a nation see as most imminent. Clearly, since the end of the cold war that has been true. We have attempted to address that threat. Obviously, in this instance we were not successful. But I think it is important that we review where we are and what we need to do as we move forward because this is not the end, regrettably, of the issue. This is simply a sign of what our times are going to bring. We need to prepare, and we need to plan the battle lines.

The issue of terrorism and the confrontation of it basically divides itself into three categories. The first is maintaining adequate intelligence capability. The second is apprehension of people who would commit terrorist acts. And the third is dealing with the events should they occur, as they regrettably have in New York and here in Washington.

In hearing after hearing, we have heard regrettably that we were not ready but that we were moving in the right direction. Unfortunately, it was predicted that there would be a major terrorist event in this Nation. In fact, at three different hearings that I know of when I was chairman of the appropriations subcommittee that has jurisdiction over the Justice and State Departments, it was clearly stated by our intelligence community that they anticipated a significant terrorist act sometime in the future. No one was specific as to when. We now know when. It has occurred.

How do we prepare so it does not occur again or so we can mitigate the damage?

First, our commitment to intelligence must be dramatically increased. During the 1980s and into the 1990s, we allowed our intelligence community to basically atrophy in the area of human intelligence—people on the ground.

We have electronic intelligence of immense capability. It needs to be improved, especially in the area of encryption. But specifically, we need more people involved in intelligence efforts. We have to, as a nation, recognize that this is, for all intents and

purposes, a war, and that it is going to take soldiers, and that some of those soldiers are going to have to participate in counterintelligence activities that are covert and personal, something from which we have shied away as a society. We are going to need to commit significant resources to this.

In the area of apprehension, we need to get more coordination between our Nation and those other nations that should be helping us so that when individuals whom we know are threatening us or some other democratic government are on the move, when those individuals are planning, we have the capacity to apprehend them. This means significantly increasing the efforts of the FBI in reaching across international boundaries, something our committee has tried to do, something to which former Director Freeh made a major commitment: the expansion basically of the overseas activities of our premier and key law enforcement agency, the Federal Bureau of Investigation.

Most importantly, we need to get coordination within our own house, not only in the area of apprehension but, even more importantly, in the area of response. We have watched what has happened in New York. We congratulate the city of New York, the State of New York, and the Federal people who are on the ground. An extraordinary effort and a heroic and courageous effort has been undertaken.

The fact is that within our own Federal agencies we have considerable overlap, inconsistency, and lack of command and control.

Our committee has suggested, on innumerable occasions, that we centralize control over counter terrorism activity and, specifically, response activity and consequence management, both in FEMA and in the Attorney General's office. We have to have budgetary line-item operational personnel control. There are 46 agencies in this Government today that have some level of responsibility to counter terrorism. The overlapping confusion of purpose is dramatic.

As the hearings showed—which I chaired, along with Senator STEVENS and Senator WARNER and Senator SHELBY from the Intelligence Committee; the first tripartite hearing of that nature, where we had every major agency come before us to discuss their role—we saw that unquestionably there is confusion.

This has to be sorted out. One way to sort it out we will have a chance to vote on tomorrow in the Commerce-State-Justice bill when we approve a Deputy Attorney General whose sole purpose will be the coordination of counterterrorism activity across agency lines. That must be done.

We were not fortunate, of course, but the fact that this occurred in New York, a city that is extraordinarily

well prepared, I am sure, saved many lives. The next event we do not know where it will occur, and we need to be ready.

The last issue we must address is, who do we respond against? It is very obvious that we are dealing with people who are fundamentally evil. We have, as a nation, confronted such people in the past, but they have been sponsored by a nation, whether it was Adolf Hitler or the forces of Japan during World War II. But today there is an amorphousness to the threat which is hard to identify. The people who have committed this act are, for most purposes, religious fanatics, it would appear. They are driven by a cause for which they are willing to give their life and take innocent lives in order to make their point. That is a threat that is extraordinarily difficult to overcome.

Madam President, I ask unanimous consent for an additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. But we must be careful, as a nation, as we hunt these people down—and we have to do that—and as we seek retribution against anyone who will have supported them, that we not cast our net so wide that we catch nations which do not threaten us and people who are not our enemies.

We must be careful to use the rule of law so that we do not abandon what has made us great in order to confront this type of evil. We are a nation which is built on openness and law, and it would be a mistake if we abandon it as we attempt to pursue these individuals.

No rock must be left unturned to find them; it is clear they live under rocks. But in that process, let us not paint with a brush that causes us to create enemies that do not exist today. Let us also not act in a way that creates martyrs of those people who would also act in this way.

This is a time that will test America. America has been tested before and we have met it. We shall certainly be resilient in the face of this test.

I appreciate the courtesy of the Chair and yield the floor.

The PRESIDING OFFICER (Mr. AKAKA). The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I ask unanimous consent that we be allowed to proceed—the two of us—for 2 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, through our rage at the terrorist attacks on our people and our free institutions shines a focused determination to recover our loved ones and friends who are still lost, and to assist their loved ones to cope with the devastating void into which they have been plunged.

Our fury at those who attack innocence is matched by our united determination to protect our citizens from

more terror and by our resolve to track down, to root out, and to relentlessly pursue terrorists and those who would shelter or harbor them.

Last night, at the Pentagon, I joined Secretary of Defense Rumsfeld, Senator WARNER, and General Shelton in sharing that determination with the American people. That resolve is reflected by the fact that the Pentagon is functioning and the men and women who work there are assisting the heroic recovery efforts, although a few feet away loved ones and friends are still missing or presumed to have been killed, and while the smoke of the savagery is still permeating the Pentagon.

The President, last night, spoke for all Americans and all civilized people everywhere about his commitment to recover, to deter, and then to root out and destroy the terrorists.

Debate is an inherent part of democracy. And while our democratic institutions are stronger than any terrorist effort to shake them, in one regard we operate differently in times of national emergency. We set aside our differences to join forces together, with decent people everywhere, to seek out and defeat a common enemy of the civilized world.

Our unity is unshakable, and, God willing, we will persevere and prevail.

I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 3:30 p.m.

Thereupon, the Senate, at 2:29 p.m., recessed until 3:29 p.m. and reassembled when called to order by the Presiding Officer (Mr. REID).

#### TERRORIST ATTACKS AGAINST THE UNITED STATES—Continued

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I yield 10 minutes to the Senator from Oklahoma, the assistant Republican leader.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. NICKLES. Mr. President, I thank my colleague. Yesterday was a tragic day in U.S. history. It is a tragic day for people who love freedom, who cherish freedom. Some may claim it was a victory for terrorism. I don't think so.

This act of terrorism has brought our country together in a way that we haven't been able to do among ourselves. Yesterday I was with Democrats and Republicans who said: We are going to be united against this type of senseless violence. We are going to stand together and say it will not stand. It will not be successful.

I compliment President Bush and his Cabinet, not only for his speech last night but also for the Cabinet he has assembled. He has assembled a Cabinet

of unequalled reputation, quality, who have proven themselves to meet the challenge in the past, whether we are talking about Vice President DICK CHENEY, Secretary of State Colin Powell or Secretary of Defense Don Rumsfeld.

In witnessing the events yesterday, it took me back to the tragedy we suffered 6 years ago in Oklahoma City where 168 people lost their lives to another act of terrorism. The most deadly act of terrorism in U.S. history happened in Oklahoma City that year on April 19. Until we saw it replaced by an even more horrendous act, an act that certainly was designed by people who wanted to do the maximum amount of deadly operations they could against the United States.

They will not be successful in any way, shape, or form. The United States, under the leadership of President Bush and his administration and a united Congress, Democrats and Republicans, will stand up and say that type of violence will not stand. It will be punished.

Our condolences go to the families, to the victims of this terror. It comes home to all of us in different ways. The thousands of people who were injured or lost their lives in the World Trade Center, the many people in the Pentagon, the hundreds of people who were on the airplanes, those were husbands, mothers, fathers, wives, children, grandparents. They disrupted thousands of lives. Those were friends.

I happen to have a friend who was on one of the planes: Barbara Olson. She worked for me for 2 or 3 years in the Senate as my general counsel. Many people in the Senate got to know Barbara Olson. I got to know her very well. I got to admire her, to respect her. She was an outstanding staff member and friend, a frequent visitor on the television shows. I think many Americans, when they saw her face on CNN yesterday, realized this has an impact. This brings the real tragedy home.

My prayers and condolences go to her husband and also my very dear friend, Ted Olson, who happens to be Solicitor General of the United States. What a tragic loss, the loss of life for Barbara Olson and the countless others, thousands of people whose lives were destroyed or families who were broken as a result of this terrorist activity.

We must act together. I am confident that we will. I am confident that Congress will act and give the administration the tools necessary, both legal and financial, to rebuild, to assist in fixing the damage. Through FEMA and the capable leadership of Joe Allbaugh, I think we will do that. I know that was important in my State of Oklahoma. I am sure we will do that both with the Pentagon and the World Trade Center.

It is also important that we stand together and confront terrorism. It is important that we combat terrorism. In some cases in the past our rhetoric has

maybe exceeded our success. I don't believe we were successful in bringing the perpetrators of the bombings in Kenya and Tanzania to justice. I don't believe we were successful in bringing the perpetrators of the Khobar Towers bombing to justice. I don't believe we have been successful as of yet in bringing the perpetrators of the bombing of the USS *Cole* to justice and bringing those people and/or possibly even countries to justice and who may have helped finance and orchestrate and maybe even organize these terrorist activities.

It is important that we do so, not just in rhetoric but in deed, not just today and not just in the next week but, frankly, on a continual battle. We must, when we say this type of terrorism won't go unpunished, we must mean what we say. I feel confident with this President we will show the resolve. Our country will show the resolve. Freedom-loving people all across the world will show the resolve that this will not go unpunished.

Yesterday was a very sad and tragic day in our U.S. history, a very tragic day, one that I believe our country will pull together and say: This type of terrorism will not prevail. We have so many good people in the United States, so many people who are coming together to assist the victims, so many people who are coming together worldwide to assist to make sure this type of tragedy will not go unpunished and also to alleviate the pain and suffering of the innocent victims in this terrible tragedy. My heart, my sympathy, my prayers go out to the victims. Our resolve has never been stronger to stand together to fight this type of terrorism.

The PRESIDING OFFICER (Ms. LANDRIEU). The Senator from Nevada is recognized.

Mr. REID. There is an order in effect now that each Senator will have 10 minutes to speak. The way the day has been going, we have approximately 85 Senators still wishing to speak. If we use the 10 minutes each, we simply cannot finish and allow each Senator to speak. I have conferred with the minority and they are in agreement that each Senator should have 5 minutes, and we alternate back and forth. I propound a unanimous consent request that Senators be allowed to speak for up to 5 minutes each rather than 10 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The Senator from Minnesota is recognized.

Mr. REID. Will the Senator yield? I want to express on behalf of the majority leader and minority leader appreciation for the cooperation. Everyone wants an opportunity to speak. But for this unanimous consent agreement, that would not be possible.

The PRESIDING OFFICER. The Senator from Minnesota.